

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

Modified  
CHAPTER 13 PLAN

In Re: Todd A. Hagedorn

Dated: 10/21/04

DEBTOR(S).

Case No. 04-34846

**PAYMENTS BY DEBTOR -**

- a. As of the date of this plan, the debtor has paid the trustee \$ 700.
- b. After the date of this plan, the debtor will pay the trustee \$ 350. per month for 50 months, beginning within 30 days after the filing of this plan for a total of \$ 17,500. If the proposed plan is less than 36 months, then the payments shall continue until all claims are paid in full, or for 36 months, whichever is less.
- c. The debtor will also pay the trustee such additional funds as may be necessary to pay the Trustee's fee in full, if it increases during the term of the plan.
- d. The debtor will pay the trustee a total of \$ 18,200. line 1(a) + line (b) + line 1(c)].

**2. PAYMENTS BY TRUSTEE** - The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10% for a total of \$ 1092. (line 1(d)x.10] or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation.

**3. PRIORITY CLAIMS** - The trustee shall pay in full all claims entitled to priority under §507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed.

<i>Creditor</i>	<i>Estimated Claim</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. Attorney Fees	\$ <u>1250.</u>	\$ <u>329.</u>	<u>1</u>	<u>4</u>	\$ <u>1250.</u>
b. Internal Revenue Service	\$ <u>481.</u>	\$ <u>pro rata</u>			\$ <u>481.</u>
c. Minn. Dept. Of Revenue	\$ <u>2829.</u>	\$ <u>pro rata</u>			\$ <u>2829.</u>
d. _____	\$ _____	\$ _____			\$ _____
e. TOTAL					\$ <u>4560.</u>

**4. LONG-TERM SECURED CLAIMS NOT IN DEFAULT** - The following creditors have secured claims. Payments are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

- a. 0
- b. \_\_\_\_\_

**5. HOME MORTGAGES IN DEFAULT § 1322(b)(5)]** - The trustee will cure defaults with **NO INTEREST** on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
a. <u>0</u>	\$ _____	\$ _____			\$ _____
b. _____	\$ _____	\$ _____			\$ _____
c. _____	\$ _____	\$ _____			\$ _____
d. TOTAL					\$ _____

6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT (§1322(b)(5)) -The trustee will cure defaults (plus interest at the rate of 8% per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

	Creditor	Interest Rate	Amount of Default	Monthly Payments	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a.	0	%	\$	\$			\$
b.		%	\$	\$			\$
c.	TOTAL						\$

7. OTHER SECURED CLAIMS (§1325(a))- The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim using a discount rate of 8 %, or the rate per annum stated below. The creditor's allowed secured claim shall be the creditor's allowed claim or the value of the creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens. NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. §1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. § 505(a).

	Creditor	Interest rate	Claim amount	Secured Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a.	Triad Financial	7 %	\$ 13,500.	\$ 9750.	\$ 329.	5	33	\$ 11,012.
b.		%	\$	\$	\$			\$
c.		%	\$	\$	\$			\$
d.	TOTAL							\$ 11,012.

8. SEPARATE CLASS OF UNSECURED CREDITORS-In addition to the class of unsecured creditors specified in ¶ 9, there shall be a separate class of nonpriority unsecured creditors described as follows. 0

- The debtor estimates that the total claims in this class are \$
- The trustee will pay this class \$ Per claim.

9. TIMELY FILED UNSECURED CREDITORS- The trustee will pay holders of nonpriority unsecured claims for which proof of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 4, 5, 6, 7 & 8 their pro rata share of approximately \$ 1536. (line 1(d) minus lines 2, 3 (e), 5 (d), 6 (d), 7 (d), and 8 (b)).

- The debtor estimates that the total unsecured claims held by creditors listed in ¶ 7 are \$ 3750.
- The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 7 and ¶ 8 are \$ 27,961.
- Total estimated unsecured claims are \$ 31,711. (line 9(a) and line 9(b)).

10. TARDILY-FILED UNSECURED CREDITORS-All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 5, 6, 7, 8 or 9 shall be paid to the holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

11. OTHER PROVISIONS-Any funds not allocated above may be distributed at the trustee's discretion. \*Upon completion of payment of the secured portion of any claim, the property securing said claim shall vest in the debtor free and clear of any lien, claim or interest of the secured creditor (IRS excepted). Collection of post-petition child support obligations by wage withholding or proceedings to establish or modify child support obligations may commence without modifying the automatic stay. Any claim for child support deemed not priority shall be paid as a separate class. Debtor is surrendering his interest in the 1996 Ford Taurus - the co-debtor on that note will continue to make the payments to Premier Bank. Debtor will pay into the plan any funds he may receive in respect to the potential claim he has against Pioneer Campground.

12. SUMMARY OF PAYMENTS -

Trustee's fee (line 2)	\$ 1092.
Priority Claims (line 3(e))	\$ 4500.
Home Mortgage Defaults (line 5(d))	\$ -
Long Term Debt Defaults (line 6(c))	\$ -
Other Secured Claims (line 7(d))	\$ 11012.
Separate Class (line 8(b))	\$ -
Unsecured Creditors (line 9(c))	\$ 1536.
TOTAL (must equal line 1(d))	\$ 18000.

Kingsbury & Associates, Ltd.  
David D. Kingsbury, #211060  
Dana A. Dullum, #0285225  
14827 Energy Way  
Apple Valley, MN 55124  
(952) 432-4388

Signed /s/ Todd A. Hagedorn  
Debtor  
N/A  
/s/  
Joint Debtor

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In Re: Todd A. Hagedorn,

Chapter 13  
Bky No. 04-34846

Debtors.

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NOTICE OF CONFIRMATION OF PLAN

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PLEASE TAKE NOTICE that the hearing on the Confirmation of the Modified Chapter 13 Plan in the above-entitled matter has been set for November 23, 2004 at 10:30 a.m. in Courtroom 228B, U.S. Courthouse, 316 North Robert St., St. Paul, MN 55101 before Judge Kishel.

/e/ David D. Kingsbury  
David D. Kingsbury #211060  
Attorney for Debtor(s)  
14827 Energy Way  
Apple Valley, MN 55124  
(952) 432-4388

In Re: Todd A. Hagedorn,

Case No. BKY 04-34846

I, David D. Kingsbury, of the law firm of Kingsbury & Associates, Attorneys licensed to practice law in this Court, with its office address of 14827 Energy Way, Apple Valley, MN 55124 declare that on October 22, 2004 I served the annexed Modified Chapter 13 Plan and Notice of Hearing on each of the entities named below either personally, by facsimile or by mailing to each of them a copy thereof by enclosing same in envelope with first class postage prepaid and depositing same in the post office at Apple Valley, MN, addressed to each of them as follows:

United States Trustee  
1015 U.S. Courthouse  
300 South 4th St.  
Mpls, MN 55415

Jasmine Z. Keller  
12 S. 6<sup>th</sup> St., #310  
Minneapolis, MN 55402

and I declare, under penalty of perjury, that the foregoing is true and correct.

/e/ David D. Kingsbury

David D. Kingsbury

AMO RECOVERIES  
P.O. BOX 100036  
KENNESAW GA 30156-9236

CITI CARDS  
P.O. BOX 6077  
SIOUX FALLS SD 57117-6077

COMPREHENSIVE COLLECTION  
P.O. BOX 403  
STEWARTVILLE MN 55976

CULLIGAN OF ROCHESTER  
619 - 6TH ST. NW  
ROCHESTER MN 55901

FIRST PREMIER BANK  
BOX 5147  
SIOUX FALLS SD 57117-5147

HOME DEPOT  
P.O. BOX 3330  
OLATHE KS 66063-3330

HOUSEHOLD CREDIT SERVICES  
P.O. BOX 5222  
CAROL STREAM IL 60197-5222

INTERNAL REVENUE SERVICE  
316 NORTH ROBERT ST  
STOP 5700 BKY  
ST PAUL MN 55101

KOHL'S  
P.O. BOX 3084  
MILWAUKEE WI 53201-3084

MAYO CLINIC  
P.O. BOX 4003  
ROCHESTER MN 55903-4003

MINNESOTA DEPT OF REVENUE  
551 BKY SECTION CEU DEPT  
PO BOX 64447  
ST PAUL MN 55164

PREMIER BANK  
P.O. BOX 5147  
SIOUX FALLS SD 57117-5147

PROFESSION SERVICE BUREAU  
4725 - 36TH AVE. N.  
MINNEAPOLIS MN 55422-2169

SCHREIBERS & ASSOCIATES  
P.O. BOX 210  
DANVERS MA 01923-0310

TRIAD FINANCIAL  
7711 CENTER AVE.  
HUNTINGTON BEACH CA 92647

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

**Todd A. Hagedorn**  
Debtor(s).

**SIGNATURE DECLARATION**

Case No. 04 - 34846

- ☐ PETITION, SCHEDULES & STATEMENTS  
☐ CHAPTER 13 PLAN  
☐ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION  
☐ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS  
☒ MODIFIED CHAPTER 13 PLAN  
☐ OTHER (Please describe: \_\_\_\_\_)

I [We], the undersigned debtor(s) or authorized representative of the debtor, ***make the following declarations under penalty of perjury:***

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: 10/22/04

X

\_\_\_\_\_  
Signature of Debtor or Authorized Representative

**Todd A. Hagedorn**

\_\_\_\_\_  
Printed Name of Debtor or Authorized Representative

X

N/A

\_\_\_\_\_  
Signature of Joint Debtor

N/A

\_\_\_\_\_  
Printed Name of Joint Debtor